

William T. Moore,
Chairman of the Senate Committee
on State Affairs
Gus Mutscher,
Speaker of the House of Repre-
sentatives
W. S. Heatly,
Chairman of the House Committee
on Appropriations
Ben Atwell,
Chairman of the House Committee
on Revenue and Taxation

Adjournment

On motion of Senator Aikin the
Senate at 11:23 o'clock a.m. adjourned
until 11:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

February 10, 1969

S. C. R. No. 13

SIXTEENTH DAY

(Tuesday, February 11, 1969)

The Senate met at 11:00 o'clock
a.m., pursuant to adjournment, and
was called to order by the President.

The roll was called and the follow-
ing Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chap-
lain, offered the invocation.

On motion of Senator Aikin, and
by unanimous consent, the reading
of the Journal of the proceedings of
yesterday was dispensed with and
the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 11, 1969.

Hon. Ben Barnes, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following:

S. C. R. No. 14, Congratulating
Miss Patti Yezak.

H. C. R. 19, Recognizing National
Negro History Week.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Presentation of Guest

Senator Hightower, by unanimous
consent, presented as a guest of the
Senate today former Senator Mar-
shall Formby and requested that he
be granted privileges of the floor for
today.

Co-Author of Senate Bill 84

On motion of Senator Herring and
by unanimous consent he will be
shown as Co-author of S. B. No. 84.

Notice of Executive Session

Senator Word gave notice that he
would move for an Executive Session
at 11:30 o'clock a.m. on tomorrow.

Reports of Standing Committees

Senator Moore submitted the fol-
lowing report:

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the
Senate.

Sir: We, your Committee on State
Affairs, to which was referred S. B.
No. 87, have had the same under
consideration, and I am instructed
to report it back to the Senate with
the recommendation that it do pass
and be printed.

MOORE, Chairman

Senator Brooks submitted the fol-
lowing report:

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the
Senate.

Sir: We, your Committee on State
Departments and Institutions to
which was referred S. B. No. 128,

have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

BROOKS, Chairman

Senator Hall submitted the following reports:

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 95, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Vice-Chairman

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 96, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Vice-Chairman

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 35, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Vice-Chairman

Austin, Texas,
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 33, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Vice-Chairman

Senate Bills on First Reading

The following bills were introduced,

read first time and referred to the Committees indicated:

By Senator Hall:

S. B. No. 141, A bill to be entitled "An Act amending the Insurance Code of Texas, as heretofore amended, by adding a new article designated Article 21.26A, authorizing any domestic stock insurance company to effect an exchange of all the outstanding stock of its shareholders for stock or other securities of another domestic corporation or foreign corporation, or other consideration; specifying the procedure necessary to adoption of a plan for such exchange and approval thereof by the shareholders; requiring the Commissioner of Insurance to hold a public hearing upon the fairness of the plan of exchange and to determine whether it will adversely affect the operation of the domestic insurance company, or the acquiring corporation if it is an insurance company; providing a procedure for dissent by shareholders to the plan of exchange; specifying the effect of the plan of exchange on approving shareholders; exempting the transaction and securities issued incident thereto from the provisions of the Securities Act; allowing premium taxes paid by the domestic company as a credit on any franchise tax payable by acquiring corporation; providing that the domestic insurance company shall remain subject to the Insurance Code of Texas; providing a severability clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. B. No. 142, A bill to be entitled "An Act relating to days designated as legal holidays; amending Article 4591, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 143, A bill to be entitled "An Act making it unlawful for any person to willfully interfere with any fireman, policeman, or other peace officer in the lawful discharge of his duties, or with any doctor, nurse, or ambulance attendant while on emergency calls; defining terms; providing penalty for violation; providing that provisions of this Act are cumulative of all other Penal Laws of this state;

providing for severance of any portion of this Act that is held invalid; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 144, A bill to be entitled "An Act repealing Articles 26.14, 37.13, 42.12, Sections 3(a), 3(b) and 3(c), 42.13, Section 8(b), Code of Criminal Procedure; amending Articles 27.02, 27.14, 35.16, 37.07, 42.12, 42.13, and 45.34, Code of Criminal Procedure; providing that in all cases, except capital cases where the State is seeking the death penalty, the trial judge shall assess the penalty; providing that the judge may grant probation; providing that the judge may cause to be made for his consideration in assessing the punishment a pre-sentence investigation; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Moore:

S. B. No. 146, A bill to be entitled "An Act amending Part I of Article 3.39 of Chapter 3 of the Insurance Code, as amended, by adding to Subdivision A thereof a new Subsection 14a, authorizing life insurance companies to invest any funds and accumulations in remainder and/or life income interests in express trusts."

To the Committee on Insurance.

By Senators Herring and Cole:

S. B. No. 147, A bill to be entitled "An Act amending, revising, and rearranging the Texas Water Quality Act of 1967 (Article 7621d-1, Vernon's Texas Civil Statutes) to improve the structure of the Act and to provide for more effective control of water quality in this State; preserving the terms of office of current board members; providing for severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator McKool:

S. B. No. 148, A bill to be entitled "An Act relating to a requirement that all complaints made against firemen and policemen included in the Firemen's and Policemen's Civil Service Act be made in writing and sworn to by the person making the complaint; amending Chapter 325, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article

1269m, Vernon's Texas Civil Statutes; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator McKool:

S. B. No. 149, A bill to be entitled "An Act to permit the probate of certain wills and codicils to which have been attached self-proving affidavits; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 150, A bill to be entitled "An Act to promote the health, safety, and welfare of the people by regulating the business of transporting, processing, or disposing of rendering raw material, and the bodies of dead animals, poultry, or any parts thereof, by burying, burning, cooking, or processing; to provide penalties for violations; and declaring an emergency."

To the Committee on Public Health.

By Senator Hightower:

S. B. No. 151, A bill to be entitled "An Act amending Article 2823, Revised Civil Statutes of 1925, to define 'scholastic population' as used herein for purposes of apportionment and distribution of the State available school fund on the basis of average daily attendance determined for the immediately next preceding school year; amending Articles 2816 and 2819 as amended in Chapter 338, Acts of 53rd Legislature, Regular Session, 1953, to provide for taking of a census of all children of scholastic age once every five years beginning January, 1970, pursuant to procedures and regulations to be adopted by the State Board of Education; to repeal Articles 2816a, 2817, 2817a, 2818 and 2822, Revised Civil Statutes of 1925, as amended, and all laws or parts of laws in conflict with this Act; and declaring an emergency."

To the Committee on Education.

By Senator Hightower:

S. B. No. 152, A bill to be entitled "An Act to amend subsection c, Section 10 in Chapter 236, Acts of 59th Legislature, Regular Session, 1965 (Article 2802k, Section 10c, V.T.C.S.); relating to the counting of average daily attendance of pupils attending part-time vocational classes in a designated area vocational district and part-time in their home district; providing for an effective date of this

amendatory Act; and declaring an emergency."

To the Committee on Education.

By Senator Christie:

S. B. No. 153, A bill to be entitled "An Act establishing Uniform Standard Code approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical systems in mobile homes; to require a license to be issued by the State Highway Department to mobile home dealers and manufacturers engaged in business in this State; to require all mobile homes to bear a Seal of Certification of License issued by the State Highway Department; to provide for reciprocity; to provide for inspection; to establish fees and charges; to provide for enforcement and penalties; to provide for restrictions and placement of serial numbers; to provide for severability; and declaring an emergency."

To the Committee on Transportation.

By Senator Brooks:

S. B. No. 154, A bill to be entitled "An Act creating Bayport College as a state-supported institution of higher education; providing for its management, administration, and financing; and declaring an emergency."

To the Committee on State Affairs.

By Senator Creighton:

S. B. No. 155, A bill to be entitled "An Act relating to the creation, establishment, maintenance and operation of a hospital district in accordance with the provisions of Section 9 of Article IX of the Constitution of the State of Texas, to be known as the East Wise County Hospital District; prescribing the boundaries thereof; defining its purposes; providing for its administration, operation, financing, taxing powers and liabilities; prescribing procedures; providing for severability; reciting proof of publication of Constitutional notice; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Word:

S. B. No. 156, A bill to be entitled "An Act relating to the grading, classification, and sale of eggs; amending Sections 3, 4, 8, and 9,

Chapter 133, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 165-8, Vernon's Texas Civil Statutes), and adding a new Section 16a; and declaring an emergency."

To the Committee on Agriculture and Livestock.

House Concurrent Resolution 19 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 19, Providing that the Texas Legislature recognize National Negro History Week for February 9-15, 1969.

The resolution was read.

On motion of Senator Jordan, and by unanimous consent, the resolution was considered immediately and was adopted.

Memorial Resolution

S. R. No. 110—By Senator Watson: Memorial resolution for Thurber A. Gray.

Welcome and Congratulatory Resolutions

S. R. No. 107—By Senator Herring: Extending welcome to officers and members of The Burnet Road Home Demonstration Club.

S. R. No. 108—By Senator Watson: Extending welcome and privileges of the floor for the day to Rush Evans.

S. R. No. 109—By Senator Watson: Extending congratulations to Hugh "Hap" Hynds for his outstanding service to Waco and all the people of Texas.

S. R. No. 111—By Senator Herring: Extending welcome to teacher and students of Mathews Elementary School of Austin.

S. R. No. 112—By Senator Brooks: Extending welcome to sponsor and students of Ross Sterling Senior High School of Houston.

S. R. No. 113—By Senator Bernal: Extending welcome to The Catholic Women of Randolph Air Force Base.

Adjournment

On motion of Senator Hazlewood the Senate at 11:30 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.